

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

Senate Legislative Record
One Hundred and Twenty-Sixth Legislature
State of Maine

Daily Edition

Second Regular Session
beginning January 8, 2014

beginning at Page 1544

All matters thus acted upon were ordered sent down forthwith for concurrence.

RECESSED until 6:30 in the evening.

After Recess

Senate called to order by the President.

ORDERS OF THE DAY

Unfinished Business

The following matters in the consideration of which the Senate was engaged at the time of Adjournment had preference in the Orders of the Day and continued with such preference until disposed of as provided by Senate Rule 516.

The Chair laid before the Senate the following Tabled and Later Assigned (2/27/14) matter:

SENATE REPORTS -from the Committee on **VETERANS AND LEGAL AFFAIRS** on Bill "An Act To Increase Gaming Opportunities for Charitable Fraternal and Veterans' Organizations"

S.P. 20 L.D. 31

Report "**A**" - Ought to Pass as Amended by Committee Amendment "**A**" (S-399) (7 members)

Report "**B**" - Ought Not to Pass (4 members)

Report "**C**" - Ought to Pass as Amended by Committee Amendment "**B**" (S-400) (1 member)

Tabled - February 27, 2014, by Senator **TUTTLE** of York

Pending - motion by same Senator to **ACCEPT** Report "**A**", **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (S-399)**

(In Senate, February 27, 2014, Reports **READ**.)

THE PRESIDENT: The Chair recognizes the Senator from Oxford, Senator Patrick.

Senator **PATRICK:** Thank you Mr. President. Ladies and gentlemen of the Senate, colleagues and friends, I rise today to talk briefly about this bill. It happens to be my bill this time. This is a bill that is looking to help non-profit organizations. Since, I think it was, 1978 or 1979 non-profit organizations throughout the state of Maine actually had the ability to have machines, slot machines, in their establishments. They were taken away and since then the advent of casinos and other types of gaming have actually taken away significantly the incomes of most non-profits. I put the bill in originally to help all non-profits, but like what we learned in the last session, the 125th, this very bill was actually passed with a healthy majority in both Bodies, but it was vetoed

by the Chief Executive and it was vetoed because the idea, I believe, the Chief Executive had is we may be here to help veterans organizations first and foremost. I restructured the bill. I actually changed the bill title from "An Act to Increase Gaming Opportunities for Charitable Fraternal and Veterans' Organizations" to "An Act to Increase Gaming Opportunities for Veterans' Organizations." I believe one eats an elephant one bite at a time. In order to take a look at doing good for all you have to start somewhere. I think the veterans' organizations are where I wanted to start. I originally wanted to allow veterans' organizations to have five machines. We thought about everything. We thought about the cost and I lowered the limit down to three machines. Statistically, if you take a look at it, there is the potential of probably having around 400 machines in the state of Maine, but what this bill does is allow a veterans' organization that has a building, bricks and mortar, to have the opportunity to have three machines and that actually narrows the scope down to where, I would say, around fifteen clubs that would probably be eligible to have three machines if they can afford it. The bill was designed basically on the same premise as the casinos, but because these are veterans' organizations and, because these veterans' organizations are non-profit, what I did was I cut the license fees in half. Therefore it would actually allow them the financial ability to probably have the three machines and be able to afford it. This doesn't do everything that I wanted it to do, but it is a good start and I'm hoping that I can receive support, unanimously, from the Body because this is a bill that will help veterans. Thank you very much, Mr. President.

THE PRESIDENT: The Chair recognizes the Senator from Androscoggin, Senator Mason.

Senator **MASON:** Thank you Mr. President. Men and women of the Senate, my remarks are going to get repetitive over time tonight because the reason that I stand opposed to this bill is not because I'm against veterans or I am against them raising money for their club. I stand here asking everyone in the room tonight to press the pause button. I'm concerned that our state doesn't have a comprehensive gaming policy. We have no central governing authority over our gaming institutions in the state of Maine. All of our gaming that we have in the state right now, as far as casinos go and slot machines, has been passed by citizens referendums. That means the policy is very helter-skelter, to say the least. I have concerns about the bill that is sitting in front of us because this bill would essentially open up gaming in every veteran fraternal organization in the state. I think that we need to decide, as a state as we go forward, if that is what we want to do. I think we need to have a study on issues like that. I think we need to look at them a little bit more in-depth than we have in the past. I would urge the Body, Mr. President, to vote against the pending motion.

THE PRESIDENT: The Chair recognizes the Senator from York, Senator Tuttle.

Senator **TUTTLE:** Thank you Mr. President. Members of the Senate, I would agree with both speakers. The only correction I would make, you only apply to brick and mortar veterans' organizations. Thank you, Mr. President.

On motion by Senator **GRATWICK** of Penobscot, supported by a Division of one-fifth of the members present and voting, a Roll Call was ordered.

The Chair noted the absence of the Senator from Aroostook, Senator **JACKSON** and further excused the same Senator from today's Roll Call votes.

THE PRESIDENT: The pending question before the Senate is the motion by the Senator from York, Senator Tuttle to Accept Report "A", Ought to Pass as Amended by Committee Amendment "A" (S-399). A Roll Call has been ordered. Is the Senate ready for the question?

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#464)

YEAS: Senators: BOYLE, CAIN, CRAVEN, DUTREMBLE, HASKELL, JOHNSON, MAZUREK, PATRICK, SAVIELLO, TUTTLE, VALENTINO

NAYS: Senators: BURNS, CLEVELAND, COLLINS, CUSHING, FLOOD, GERZOFISKY, GRATWICK, HAMPER, HILL, KATZ, LACHOWICZ, LANGLEY, MASON, MILLETT, PLUMMER, SHERMAN, THIBODEAU, THOMAS, VITELLI, WHITTEMORE, WOODBURY, YOUNGBLOOD, THE PRESIDENT - JUSTIN L. ALFOND

EXCUSED: Senator: JACKSON

11 Senators having voted in the affirmative and 23 Senators having voted in the negative, with 1 Senator being excused, the motion by Senator **TUTTLE** of York to Accept Report "A", Ought to Pass as Amended by Committee Amendment "A" (S-399), **FAILED**.

On motion by Senator **PATRICK** of Oxford, Report "B", **OUGHT NOT PASS ACCEPTED**.

Sent down for concurrence.

The Chair laid before the Senate the following Tabled and Later Assigned (3/11/14) matter:

HOUSE REPORTS - from the Committee on **VETERANS AND LEGAL AFFAIRS** on Bill "An Act Concerning High-stakes Beano" H.P. 188 L.D. 227

Majority - **Ought Not to Pass** (7 members)

Minority - **Ought to Pass as Amended by Committee Amendment "A" (H-627)** (5 members)

Tabled - March 11, 2014, by Senator **HASKELL** of Cumberland

Pending - **ACCEPTANCE OF EITHER REPORT**

(In House, March 6, 2014, the Minority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-627)**.)

(In Senate, March 11, 2014, Reports **READ**.)

Senator **TUTTLE** of York moved the Senate **ACCEPT** the Minority **OUGHT TO PASS AS AMENDED** Report, in concurrence.

On motion by Senator **THIBODEAU** of Waldo, supported by a Division of one-fifth of the members present and voting, a Roll Call was ordered.

THE PRESIDENT: The Chair recognizes the Senator from York, Senator Tuttle.

Senator **TUTTLE:** Thank you Mr. President. I would ask that you support the Ought to Pass Report. The bill simply allows the tribes to modernize their equipment by bringing their beano games into the 21st Century. The tribes need this equipment to compete with gaming options that have become available over the last ten years. It is asking for far less than what has already been given to other entities of the state. The machines will be monitored and audited by an independent third party to ensure safety and fair play, similar to the other two gaming companies we have in the state today. I believe it is a simple bill that essentially allows the Penobscots to go from paper to automatic. Maine is one of only two states who doesn't do this. I don't know if you know of the fine jobs that the Penobscots have done over the years with their beano games. They get busloads of folks that come in for a number of days. They also take them into downtown Bangor, where they go shopping. They also take them to Hollywood Slots. It is really an economic development issue for them. I think that what they're asking for is not that big of a deal. It's just going from paper to electronic. I'd ask that you would support the Penobscots in their efforts. Thank you, Mr. President.

THE PRESIDENT: The Chair recognizes the Senator from Androscoggin, Senator Mason.

Senator **MASON:** Thank you Mr. President. Men and women of the Senate, I stand opposed to the pending motion. The machines that are being talked about in this bill are classified under our state law as a slot machine. They are not classified as a beano machine. There is not withstanding language in the bill that exempts these machines from being classified as a slot machine. In our state we have a cap on how many slot machines that we allow in the state. By keeping these classified as beano machines, or bingo machines, they would not mess with the cap for the slot machines. When you play bingo there is skill involved and there is also chance involved, and you also play against other people. This removes the element of playing against people. You play against the odds. That's why it is classified as a slot machine, according to our Gambling Control Board. I stand